

PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 6:30 p.m. on Monday, January 6, 2014 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons, Jason Anderson, Mike Bachand, Branden Bestgen, David Hersrud, Marcia Johnston, Tim Potts, and Ronald Waterland. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: Kelly Vasknetz.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Motion by Potts, second by Hersrud and carried with all members present voting yes to approve the agenda with the addition of 10c: Resolution 2014-10 – Emergency Purchase of Bucket Truck.

Announcements:

Mayor Carstensen announced that a Constituent Survey was sent out and they are due back at the end of the month. If you have lost your survey or did not receive one, you can get it on the City website or pick one up at City Hall.

Informational Reports:

- A list of charitable contributions for 2013 from Sturgis Rally Charities was included in the packet.

City Manager Ainslie reported:

- Sales tax update for the end of December 2013-General Sales Tax and Capital Improvement Tax was up 5.1% and the Gross Receipts Tax (triple B) was down 6.5 %. Year to date totals for General Sales Tax and Capital Improvement Tax are up 7.3% with the Gross Receipts Tax (triple B) is up 2.6%.
- A power point presentation was given on the 2013 accomplishments. The presentation will be available on the website.

Motion by Bachand, second by Bestgen and carried with all members present voting yes to approve the following items on the consent calendar with the exception of F, H & I:

- a. Consider approval of the minutes from the December 16, 2013 regular council meeting.
- b. Consideration to approve the rescheduling of the January 20th meeting to January 21st in recognition of Martin Luther King Jr. Day.
- c. Consider approval of the ACH Bond Payments for 2014.
- d. Consideration for approval of Resolution 2014-03 – Authorize City Manager to Sign Property Lease Agreements (Rally)

RESOLUTION 2014 - 03 A RESOLUTION AUTHORIZING CITY MANAGER TO SIGN PROPERTY LEASE AGREEMENTS (RALLY)

WHEREAS, individuals, businesses, non-profit organizations, and other entities desire to lease space (both indoor and/or outdoor) at the Sturgis Community Center, Sturgis Auditorium, Sturgis Liquor Store, Sturgis Fairgrounds and other vacant City owned lots for the Sturgis Motorcycle Rally;

WHEREAS, the City Council has approved the lease of the above listed properties;

WHEREAS, City policy requires leasing entities to sign a property lease agreement with the City outlining the lease requirements for both parties;

WHEREAS, the Sponsorship Committee, City Manager and staff review said leases to ensure compliance with the City's property management strategy and to ensure City's ability to meet all logistical considerations outlined in the lease before recommending it be approved;

WHEREAS, promptly responding to lease proposals presented by Legends Marketing by signing them when acceptable will enable Legends to work more effectively for the City;

NOW THEREFORE, City Manager Daniel Ainslie is hereby authorized to execute said lease agreements for the above intended purposes through calendar year 2014.

Dated this 6th day of January, 2014.

Published: 01/15/2014

Effective: 02/05/2014

- e. Consideration for approval of Resolution 2014-04 – Authorize Signatures to Sign Lease & Rental Agreements (Non Rally)

RESOLUTION 2014 - 04
A RESOLUTION AUTHORIZING SIGNATURES TO SIGN
LEASE AND RENTAL AGREEMENTS (NON RALLY)

WHEREAS, individuals, businesses, non-profit organizations, sport organizations, and other entities desire to lease space at the Sturgis Community Center, Sturgis Auditorium and Parklands for events, meetings, games, and other gatherings, both public and private;

WHEREAS, individuals, businesses, non-profit organizations, sport organizations, and other entities desire to lease ball fields and sporting facilities for events, games, and other gatherings;

WHEREAS, City policy requires leasing entities to sign a lease agreement and associated documents with the City for any use of City property and/or facilities;

WHEREAS, promptly responding to lease proposals presented by such groups, by signing them when they are consistent with policies set by the council, will enable City staff to work more effectively with those groups;

NOW THEREFORE, City Manager Daniel Ainslie or, on his behalf, Community Center Director Rod Heikes is hereby authorized to execute said lease agreements and associated documents for the above intended purposes through calendar year 2014.

Dated this 6th day of January, 2014.

Published: 01/15/2014

Effective: 02/05/2014

- f. See below
- g. Consideration for approval of Resolution 2014-06 – Authorize City Manager to Sign Easements for Construction on City Property

RESOLUTION 2014 - 06
A RESOLUTION AUTHORIZING CITY MANAGER TO SIGN
EASEMENTS FOR CONSTRUCTION ON CITY PROPERTY

WHEREAS, the City is frequently requested to authorize a temporary easement for construction on or across City property;

WHEREAS, such easements are requested for a period of time during which the construction can reasonably be expected to be completed;

WHEREAS, once the time period has established, the easement is extinguished;

WHEREAS, the individual, company or entity often has presented the City with a request for such an easement when the proposed work is scheduled to begin before the request, it can be submitted for Council approval at a regularly scheduled Council meeting;

WHEREAS, City staff is required to thoroughly review the terms of the easement and determine that such a temporary easement is in the best interest of the City before recommending approval to the City Manager and Council;

WHEREAS, promptly responding to construction easement requests consistent with the development policies of the City, by having them signed by the City Manager, will enable and allow the City to more effectively support development within the City;

NOW THEREFORE, City Manager Daniel Ainslie is hereby authorized to sign such temporary easements for construction on or across City property through calendar year 2014.

Dated this 6th day of January, 2014.

Published: 01/15/2014

Effective: 02/05/2014

- h.** See below
- i.** See below
- j.** Consideration for approval of Resolution 2014-09 – Authorizing City Manager to Sign Project Worksheets and Other FEMA Documents.

RESOLUTION 2014-09
RESOLUTION AUTHORIZING CITY MANAGER
TO SIGN PROJECT WORKSHEETS AND OTHER FEMA DOCUMENTS

WHEREAS, the blizzard that struck the City of Sturgis on October 3rd has place created a significant demand upon the city and its employees to respond to the emergency created by the store, debris cleanup and significant water flow which continued days after the blizzard had passed, and

WHEREAS, the City's Emergency Response Team as established in accordance to Title 29 has and is continuing to meet to respond to the significant damage throughout the community and to mitigate the loss of property and personal injury and as such has required the use of contracts to assist in the cleanup and mitigation efforts, and

WHEREAS, at the meeting on October 8th the Meade County Commission passed an Emergency Declaration to start the process of obtaining any available state and/or federal assistance to deal with the blizzard, debris and flooding emergency, and

WHEREAS, on November 8, 2013, President Obama declared the Atlas Blizzard a Natural Disaster eligible for FEMA reimbursement, and

WHEREAS, the City has adopted the City Manager form of government in place of the traditional Mayor and alderman form of city government, and

WHEREAS, the blizzard caused very substantial damage to the City through down power lines, fallen trees and limbs, and damaged and destroyed structures, and

WHEREAS, the Federal Emergency Management Association (FEMA) is preparing forms and applications to begin the reimbursement process, and

WHEREAS, the City regularly authorizes the City Manager to sign contracts and applications on behalf of the city for necessary and required supplies and services, and

WHEREAS, the City recognizes it is necessary and in the best interest of the public to provide expeditious reporting and applications to FEMA in seeking reimbursement for costs incurred and potential cost sharing for mitigation measures, and

NOW THEREFORE, IT IS HEREBY RESOLVED that the City Manager and Mayor are authorized to sign FEMA applications, documents and worksheets in regards to the Atlas Storm for the next one hundred eighty (180) days.

Dated this 6th day of January, 2014.

Published: 01/15/2014

Effective: 02/05/2014

Motion by Potts, second by Hersrud and carried with all members present voting yes to approve (f) Resolution 2014-05 – Authorize Signatures to Sign Special Event Requests - with the modification of the resolution to read “City Manager can sign if less than \$2500”.

RESOLUTION 2014 - 05
A RESOLUTION AUTHORIZING SIGNATURES TO SIGN
SPECIAL EVENT REQUESTS

WHEREAS, individuals, businesses, non-profit organizations, sport organizations, and other entities desire to use City facilities and/or property for the promotion of special events that provide financial, educational, and/or cultural benefit to the City of Sturgis;

WHEREAS, the promoters may request the use of City staff or other City resources to assist with the set-up, tear-down and/or production of the special event;

WHEREAS, City policy requires all event promoters to submit documents to the City outlining the details of their event and to make request for the use of City property and to make request for any special accommodations, permits, and/or licenses that may be required for the successful promotion of their event;

WHEREAS, City policy requires that these event promoters sign lease or rental agreements with the City for the use of any City property;

WHEREAS, promoters must follow-up with designated City staff after the special event in order to communicate deficiencies that must be remedied prior to the City's approval of any future events on City property;

WHEREAS, promptly responding to proposals for special events that have been held the previous year, by signing any lease or other required documents when acceptable with the City, the policy will enable City staff to work more effectively to provide those events benefits to the City;

NOW THEREFORE, City Manager Daniel Ainslie or Mayor Mark Carstensen is hereby authorized to execute said lease agreements and associated City documents that have an opportunity cost to the City of less than \$2500 for any non first year special events through calendar year 2014.

Dated this 6th day of January, 2014.

Published: 01/15/2014

Effective: 02/05/2014

Motion by Potts, second by Waterland and carried with all Carstensen, Anderson, Bestgen, Hersrud, Johnston, Potts and Waterland voting yes, Bachand voting no, to approve **(h)** Resolution 2014-07 – Authorize Signatures to Sign Sponsorship Agreements - with the modification of the resolution to read “for contracts \$30,000 and under”.

RESOLUTION 2014 - 07
A RESOLUTION AUTHORIZING SIGNATURES TO SIGN
SPONSORSHIP AGREEMENTS

WHEREAS, the City of Sturgis desires to enter into contract with business and non-profit entities for the purpose of sponsorship of the Sturgis Motorcycle Rally;

WHEREAS, the City of Sturgis has contracted with a sponsorship agency to solicit sponsorship opportunities on the behalf of the City;

WHEREAS, the City's sponsorship agency will bring forward contracts under the instruction and guidance of the City's Sponsorship Committee;

WHEREAS, the Sponsorship Committee, City Manager and staff will review said contracts to ensure compliance with overall sponsorship strategy and to ensure City's ability to meet all logistical considerations outlined in the contract;

WHEREAS, promptly responding to lease proposals presented by Legends Marketing by signing them when acceptable will enable Legends to work more effectively for the City;

NOW THEREFORE, Mayor Mark Carstensen or, City Manager Daniel Ainslie are hereby authorized to execute said sponsorship contracts that are \$30,000 or under for the above intended purposes through calendar year 2014.

Dated this 6th day of January, 2014.

Published: 01/15/2014

Effective: 02/05/2014

Motion by Bachand, second by Hersrud and carried with all members present voting yes to approve (i) Resolution 2014-08 – Signing of Contracts for Administrative Supplies and Services.

RESOLUTION 2014 - 08
A RESOLUTION AUTHORIZING THE SIGNING OF CONTRACTS FOR
ADMINISTRATIVE SUPPLIES AND SERVICES

WHEREAS, the City makes use of numerous vendors throughout the year to provide administrative supplies and services to help the City effectuate the day to day operation needs of the organization;

WHEREAS, the said vendors may require the signing of contracts before the goods or services are provided;

WHEREAS, all departments of the City are required to follow the Council adopted Purchasing Policy and must strictly abide by the appropriated authority within each years' budget;

WHEREAS, the City has adopted the City Manager form of government whereas City staff are hired to complete administrative tasks in an efficient expedited manner;

NOW THEREFORE, City Manager Daniel Ainslie or Mayor Mark Carstensen are hereby authorized to execute said administrative contracts for goods or services that comply with the parameters of the City Council adopted Purchasing Policy through calendar year 2014.

Dated this 6th day of January, 2014.

Published: 01/15/2014

Effective: 02/05/2014

Motion by Waterland, second by Potts and carried with all members present voting yes to approve the following claims with the exception of: **Water** - Johnston Hardware, \$76.56, supp; **Wages** – Ambulance \$22,146.41; Attorney \$2884.62; Buildings \$2067.57; Cemetery \$1855.54; City Manager \$6190.37; Community Center \$9971.99; Finance Office \$8807.13; Fire Department \$1578.15; Human Resource \$2171.81; Library \$9172.13; Liquor \$5965.76; Mayor and Council \$3333.27; Parks \$11,828.68; Planning & Permitting \$3773.71; Police \$40,248.28; Rally \$5184.06; Recreation \$3084.11; Sanitary Service \$12,971.79; Streets \$10,134.07; Wastewater \$8167.61; Water \$13,727.26; Federal Withholding \$19,494.84; FICA \$13,540.23.

2013

Combined Cash Fund – First Interstate Bank, \$2000.00, ATM cash; Pioneer Bank, \$2,000,000.00, cert of deposit.

General – BH Power, \$1938.40, util; Pitney Bowes, \$120.56, rent; Purchase Power, \$452.06, supp; Wimactel, \$60.00, util; Wow! Business, \$306.06, util.

Water – BH Power, \$7256.63, util; Wow! Business, \$34.88, util.

Sanitary Service – BH Power, \$12.19, util.

Ambulance – BH Power, \$853.12, util.

2014

General - A&B Business, \$273.91, supp; A&B Welding, \$1979.32, supp; All Traffic Solutions, \$415.00, repair; Amcon, \$248.66, merch for resale; American Legal Services, \$50.68, prof fee; Avaya, \$36.39, util; A-Z Custom Contracting, \$2180.00, other; BH Power, \$4222.66, util; Fay Bueno, \$272.75, grp insur; Jerry Burnham, \$2500.00, prof fee; Butte Electric, \$515.76, util; Caselle, \$527.99, prof fee; Cass Co Heating, \$213.51, repair; Century Business, \$83.18, supp; Chain Saw Center, \$43.99, repair; City of Sturgis Water Dept, \$1429.57, util; Coca Cola, \$78.00, supp; Community Center Petty Cash, \$12.40, supp; Kathy Dykstra, \$500.00, grp insur; Joyce Ehlers, \$336.66, grp insur; Finance Office Petty Cash, \$66.00, other; Freeman Electric, \$46.51, repair; Great Western Tire, \$27.00, repair; Hills Materials, \$1432.36, supp; Hillyard, \$346.24, supp; Jacobs Auto Repair, \$1080.00, supp; Jenner Equip, \$51.03, repair; Key City Glass, \$3.00, repair; Knight Security, \$384.00, repair; Legends Sales, \$4250.00, prof fee; Jeff Lucas, \$317.72, grp insur; Michael Todd & Co, \$1874.00, repair; Midcontinent Communications, \$42.24, util; Mountain Air Insurance, \$1753.00, insur; Neve's Uniforms, \$443.59, other; Nohava's Custom Construction, \$2942.70, other; Julie Peterson, \$444.00, grp insur; Pizza Hut, \$53.25, other; Rapid Delivery, \$10.70, repair; S&C Cleaning, \$3100.00, maint; Sand Creek Printing, \$48.00, supp; Sanitation Products, \$755.92, repair; Doyle Schaeffer, \$299.02, grp insur; Julie Schmidt, \$35.11, grp insur; Schwans, \$46.06, merch for resale; Theodore Smith, \$30.00, other; Speedy Lube, \$33.29, repair; Street Dept Petty Cash, \$11.14, prof fee; Sturgis Napa, \$744.01, repair; Sturgis Strikers, \$250.00, other; The Knuckle Saloon, \$1340.00, other; Time Equipment Rental, \$97.36, repair; Tom's T's, \$531.72, supp; Verizon, \$111.97, util; West Payment Center, \$44.25, supp; Wow! Business, \$2598.51, util; Zylstra Body, \$1051.67, repair.

Special Sales Tax – Chamber of Commerce, \$9250.00, chamber; SEDC, \$7541.67, ind dev.

Liquor – Cask & Cork, \$318.58, off sale liquor; Century Business, \$.89, supp; City of Sturgis Water Dept, \$268.64, util; Locks by Bernie, \$105.00, supp; Harriet Lolley, \$308.00, merch for resale; M&B Enterprises, \$175.20, snacks for resale; Mobile Mini, \$196.57, supp; Okoboji Wines, \$454.00, off sale liquor; Schade Vineyard, \$960.00, off sale liquor; Wow! Business, \$148.99, util.

Water – A&B Business, \$281.03, supp; Animal Health International, \$34.83, refund; BH Power, \$270.56, util; Butte Electric, \$183.60, util; Caselle, \$382.34, prof fee; CBH Coop, \$806.73, supp; City of Sturgis Water Dept, \$113.77, util; Credit Collections Bureau, \$28.19, prof fee; Brad Deutsch, \$219.50, grp insur; Tamera Even, \$500.00, grp insur; Helen Gilbert, \$52.59, refund; Ester Hale, \$26.92, refund; Hawkins, \$746.22, supp; HD Supply, \$685.65, supp; Mark Herding, \$36.08, refund; Lance McKeown, \$12.60, refund; Meade Co Times, \$34.52, publ; Midcontinent Testing Lab, \$136.00, prof fee; MDU, \$11.87, util; Northern Hills Electric, \$45.90, repair; Dale Olson, \$186.57, grp insur; Postmaster, \$2500.00, supp; Richter's Tire, \$107.95, supp; Rushmore Office, \$36.99, supp; SD DENR, \$60.00, prof fee; SD Water & Wastewater Assn, \$20.00, prof fee; SEDC, \$3333.33, other; Servall Towel, \$11.86, supp; Shopko, \$14.97, supp; SD One Call, \$31.08, prof fee; Tour Ice, \$8.34, refund; Brent Veuink, \$52.59, refund; Wow! Business, \$93.72, util.

Wastewater – BH Power, \$2712.95, util; City of Sturgis Water Dept, \$18.53, util; Dakota Pump, \$1617.95, repair; Environmental Products, \$40.58, supp; Faris Machinery, \$1777.00, repair; Finance Office Petty Cash, \$3.98, other; Great Western Tire, \$745.00, supp; Holiday Inn Express, \$153.76, travel; Sand Creek Printing, \$48.00, supp; SD DENR, \$5534.00, prof fee; Tom's T's, \$400.00, supp; Verizon, \$43.94, util.

Sanitary Service – BH Power, \$397.72, util; Century Business Leasing, \$195.76, prof fee; Century Business, \$58.67, prof fee; Century Link, \$54.37, util; Bill Coacher, \$458.50, grp insur; Dakota Battery, \$280.53, repair; Great Western Tire, \$467.47, supp; Jay Johnson, \$500.00, grp insur; Sand Creek Printing, \$48.00, supp; Sturgis Napa, \$267.69, repair; Tom's T's, \$1020.74, supp; West River International, \$81.97, repair.

Ambulance – Caudill Leavitt Insurance, \$13,251.00, insur; City of Sturgis Water Dept, \$49.45, util; Northern Hills FCU, \$80.00, supp; Purchase Power, \$114.83, supp; Julie Schmidt, \$315.95, grp insur; Sturgis Napa, \$337.14, supp; Verizon, \$20.77, util; Wow! Business, \$170.20, util.

Motion by Waterland, second by Potts and carried with all Carstensen, Anderson, Bachand, Bestgen, Hersrud, Potts & Waterland voting yes, Johnston abstaining, to approve the following claim: **Water** - Johnston Hardware, \$76.56, supp.

Motion by Hersrud, second by Johnston and carried with all members present voting yes to approve the following payroll changes: Public Works – Rubble Site Operator – Andrew Barff - \$12.87 (from part to full-time). Police Dept – Patrol Officer to full-time – Austin Peterson - \$18.69; Police VIPS – volunteers, see attached list; Police Reserves – volunteers, see attached list. Fire Dept – Volunteer Fire Fighters – see attached list. Parks Dept – Volunteer Board Members – Cristen Kuno, Kelly Huisenga, Jeri Robinson, Rich Deaver; Volunteers – Cari Stock, Brad Stock, Brad Neuschwander. Library – Volunteers – Ernie Miller, Dorothy Pulscher, Sylvia DesJarlais, Paul Peterson, Tom Huston, Teena Sigman, LaDena Rose, Francie Rueble-Alberts, Megan Schmit. Ambulance Dept – Paramedic part-time – Alyssa Weaver - \$17.00 (\$15 until orientation complete).

Potts introduced the following written resolution and moved its adoption:

**RESOLUTION 2014-01
RESOLUTION ON ANNEXATION
OF THE CITY OWNED PINE VIEW DRIVE PROPERTY**

WHEREAS the City of Sturgis as owner has filed a Petition for Annexation with the City of Sturgis; and

WHEREAS said Petition has been executed by more than $\frac{3}{4}$ of the registered voters and more than $\frac{3}{4}$ of the owners of the value of the territory sought to be annexed to the City of Sturgis; and

WHEREAS said real property set forth in the Petition is contiguous to the City of Sturgis; and

NOW THEREFORE BE IT RESOLVED that this Resolution of Annexation shall become effective February 5, 2014 pursuant to S.D.C.L. 9-4-1,

BE IT FURTHER RESOLVED that upon such approval that the following described real property shall be annexed to the City of Sturgis:

Lot 1 of the NE1/4 Section 21, T.5N., R.5E., B.H.M., Meade County, South Dakota

Dated this 6th day of January, 2014.

Published: 01/15/2014

Effective: 02/05/2014

Waterland seconded the motion for the adoption of the foregoing resolution with all members present voting yes and the resolution was declared passed and adopted.

Anderson introduced the following written resolution and moved its adoption:

Resolution 2014-02

WHEREAS, State Law required that salaries & wages of all City Officials and Employees be set by resolution of the Common Council each year, now therefore,

BE IT RESOLVED by the Common Council of the City of Sturgis, that the salaries & wages of City Officials and Employees for the year 2014 shall be as follows:

Department	Last Name	First Name	Years Serv	2014 Wage	
Ambulance	Barrows	Shane	3	\$ 12.00	Per Hour
Ambulance	Bartels	Sam	8	\$ 12.71	Per Hour
Ambulance	Deuter	Jeremy	8	\$ 12.21	Per Hour
Ambulance	Eisenbraun	Bob	2	\$ 17.30	Per Hour
Ambulance	Fischer	Shawn	4	\$ 2,152.40	Per Pay Period
Ambulance	Fischer	David	12	\$ 12.00	Per Hour
Ambulance	Grubl	Danny	7	\$ 12.25	Per Hour
Ambulance	Haivala	Erik	10	\$ 12.25	Per Hour
Ambulance	Hartman	Jason	3	\$ 15.00	Per Hour
Ambulance	Hoffman	Alyssa	1	\$ 12.00	Per Hour
Ambulance	Isaacs	Nellie	3	\$ 15.00	Per Hour
Ambulance	Jeske	Jerid	15	\$ 15.00	Per Hour
Ambulance	Johnson	Al	12	\$ 17.50	Per Hour
Ambulance	Jolley	Christopher	1	\$ 18.00	Per Hour
Ambulance	Lyons	Brent	12	\$ 12.00	Per Hour
Ambulance	Mathieson	Sawyer	1	\$ 12.21	Per Hour
Ambulance	Mccarthy	David	9	\$ 12.25	Per Hour
Ambulance	Mccoy	Tammy	10	\$ 14.75	Per Hour
Ambulance	Mitchell	Aaron	1	\$ 17.55	Per Hour
Ambulance	Montanio	Micky	1	\$ 15.26	Per Hour
Ambulance	Nelson	Cory	1	\$ 10.00	Per Hour
Ambulance	Olson	Brad	10	\$ 10.00	Per Hour
Ambulance	Raber	Alex	6	\$ 12.50	Per Hour
Ambulance	Reitz	Jason	1	\$ 17.75	Per Hour
Ambulance	Rogers	Mackenzi	1	\$ 12.00	Per Hour
Ambulance	Roy-Daily	Virginia	1	\$ 15.00	Per Hour
Ambulance	Shaulis	Warren	2	\$ 18.31	Per Hour
Ambulance	Shaulis	Jama	5	\$ 17.25	Per Hour
Ambulance	Siedschlaw	Robert	12	\$ 12.00	Per Hour
Ambulance	Siscoe	Dylan	3	\$ 12.00	Per Hour
Ambulance	Skouge	Nicole	4	\$ 18.31	Per Hour
Ambulance	Spring	Sheri	1	\$ 16.25	Per Hour
Ambulance	Staton	Brad	1	\$ 15.00	Per Hour
Ambulance	Stentson	Kent	12	\$ 14.50	Per Hour
Ambulance	Stroschine	Lee	1	\$ 12.46	Per Hour
Ambulance	Tescher	Anna	1	\$ 10.00	Per Hour
Ambulance	Trigg	Tom	11	\$ 10.25	Per Hour
Ambulance	Urbaniak	Pat	12	\$ 15.26	Per Hour
Ambulance	Waagen	Andrea	1	\$ 19.05	Per Hour
Ambulance	Weisz	Adam	10	\$ 14.25	Per Hour
Ambulance	Zagala	Koree	1	\$ 17.80	Per Hour
Ambulance / Fire	Lensegrav	Scott	13	\$ 14.47	Per Hour
Ambulance / Fire	Schmidt	Julie	12	\$ 16.29	Per Hour
Attorney	Barnier	Greg	5	\$ 2,935.10	Per Pay Period
Buildings/ Streets	Plaggemeyer	Marty	21	\$ 2,093.70	Per Pay Period
Buildings / Auditorium	Bueno	Eli	1	\$ 11.98	Per Hour
Cemetery	Matz	Harvey	5	\$ 14.87	Per Hour
Cemetery / Parks	Neuschwander	Tanya	12	\$ 18.29	Per Hour

City Manager	Ainslie	Daniel	3	\$ 3,326.44	Per Pay Period
City Manager / Planning	Steele	Christina	6	\$ 20.05	Per Hour
Community Center	Adams	Sherri	5	\$ 13.32	Per Hour
Community Center	Anderson	Allison	4	\$ 8.00	Per Hour
Community Center	Ashburn	Justin	1	\$ 7.50	Per Hour
Community Center	Baldwin	Taber	5	\$ 8.00	Per Hour
Community Center	Bender	Elvira	16	\$ 16.75	Per Hour
Community Center	Bennett	Ethan	2	\$ 7.50	Per Hour
Community Center	Berglund	Josie	2	\$ 7.50	Per Hour
Community Center	Cordes	Maxine	22	\$ 11.00	Per Hour
Community Center	Dekraai	Chloe	1	\$ 7.50	Per Hour
Community Center	Duprel	Judy	3	\$ 14.55	Per Hour
Community Center	Fowler	Jarritt	5	\$ 8.00	Per Hour
Community Center	Fowler	Lauren	3	\$ 7.50	Per Hour
Community Center	Heikes	Shannon	11	\$ 9.00	Per Hour
Community Center	Hinker	Theresa	3	\$ 8.00	Per Hour
Community Center	Hosch	Adam	8	\$ 9.75	Per Hour
Community Center	Hudson	Taylee	1	\$ 7.50	Per Hour
Community Center	Jensen	Tyler	2	\$ 7.50	Per Hour
Community Center	Looby	Robert	19	\$ 10.50	Per Hour
Community Center	Looby	Robert	19	\$ 10.50	Per Hour
Community Center	Moravec	Diane	6	\$ 8.50	Per Hour
Community Center	Moravec	Rudolph	16	\$ 7.50	Per Hour
Community Center	Moravec	Rudolph	16	\$ 10.50	Per Hour
Community Center	Newton	Kilania	1	\$ 7.50	Per Game
Community Center	Paul	John	3	\$ 7.75	Per Hour
Community Center	Schlosser	Angelena	1	\$ 7.50	Per Hour
Community Center	Schuster	Hannah	1	\$ 7.50	Per Hour
Community Center / Recreation	Heikes	Rod	18	\$ 2,218.23	Per Pay Period
Finance	Bertolotto	Ann	22	\$ 22.00	Per Hour
Finance	Bueno	Fay	7	\$ 2,387.25	Per Pay Period
Finance	Ehlers	Joyce	22	\$ 21.61	Per Hour
Finance	Rix-Wolken	Elaine	6	\$ 14.61	Per Hour
Finance	Shyne	Jeanie	43	\$ 22.71	Per Hour
Human Resources	Katzenstein	Lisa	6	\$ 2,158.94	Per Pay Period
Library	Baker	Kellie	1	\$ 8.50	Per Hour
Library	Dejong	Marjorie	6	\$ 18.39	Per Hour
Library	Dykstra	Kathy	15	\$ 18.80	Per Hour
Library	Eichler	Brittney	1	\$ 8.25	Per Hour
Library	Moore	Toni	3	\$ 12.55	Per Hour
Library	Moore-Peterson	Julie	29	\$ 2,177.53	Per Pay Period
Library	Nonhof	Charlene	6	\$ 13.98	Per Hour
Library	Simon	Mary Ann	9	\$ 8.00	Per Hour
Library	Simonson	Leith	20	\$ 16.75	Per Hour
Liquor	Abrahamson	Melissa	4	\$ 13.32	Per Hour
Liquor	Christensen	Eric	1	\$ 8.25	Per Hour
Liquor	Colombe	Charles	13	\$ 8.50	Per Hour
Liquor	Donovan	Tyson	1	\$ 11.98	Per Hour
Liquor	Ferguson	Tom	5	\$ 2,223.71	Per Pay Period

Liquor	Pollard	Larry	2	\$ 8.25	Per Hour
Liquor	Weischedel	Cheryl	16	\$ 9.50	Per Hour
Mayor & Council	Anderson	Jason	1	\$ 324.85	Per Pay Period
Mayor & Council	Bachand	Michael	1	\$ 324.85	Per Pay Period
Mayor & Council	Bestgen	Branden	1	\$ 324.85	Per Pay Period
Mayor & Council	Carstensen	Mark	4	\$ 792.83	Per Pay Period
Mayor & Council	Hursrud	David	7	\$ 324.85	Per Pay Period
Mayor & Council	Johnston	Marcia	3	\$ 324.85	Per Pay Period
Mayor & Council	Potts	Tim	4	\$ 324.85	Per Pay Period
Mayor & Council	Vasknetz	Kelly	4	\$ 324.85	Per Pay Period
Mayor & Council	Waterland	Ron	2	\$ 324.85	Per Pay Period
Parks	Littler	Levi	12	\$ 17.40	Per Hour
Parks	Lucas	Jeffrey	27	\$ 21.40	Per Hour
Parks	Rasch	John	24	\$ 20.61	Per Hour
Parks	Schaefer	Doyle	17	\$ 19.25	Per Hour
Parks	Skinner	Scott	1	\$ 13.36	Per Hour
Parks	Stock	Gene	30	\$ 2,313.46	Per Pay Period
Planning & Permitting	Rovere	Scott	9	\$ 20.35	Per Hour
Planning & Permitting / Ambulance	Smith	David	4	\$ 1,507.04	Per Pay Period
Police	Alley	Mark	5	\$ 22.00	Per Hour
Police	Barff	Bill	10	\$ 22.84	Per Hour
Police	Basker	Paula	24	\$ 21.61	Per Hour
Police	Borg	Nate	3	\$ 19.69	Per Hour
Police	Briscoe	Sean	14	\$ 21.35	Per Hour
Police	Bush	Jim	35	\$ 2,838.83	Per Pay Period
Police	Davidson	Dan	13	\$ 21.62	Per Hour
Police	Deuter	Wade	1	\$ 18.69	Per Hour
Police	Grotti	Drew	18	\$ 23.58	Per Hour
Police	Hatzenbuhler	Darrel	1	\$ 18.69	Per Hour
Police	Lee	Tyrone	1	\$ 18.69	Per Hour
Police	Mumm	Ben	4	\$ 19.95	Per Hour
Police	O'bryan	Michael	29	\$ 23.77	Per Hour
Police	Oliver	Christine	7	\$ 16.78	Per Hour
Police	Peterson	Austin	0	\$ 18.69	Per Hour
Police	Quarve	Doug	5	\$ 22.32	Per Hour
Police	Siscoe	Dylan	3	\$ 19.97	Per Hour
Police	Smith	Lee	4	\$ 19.95	Per Hour
Police	Vandewater	Geody	8	\$ 2,393.08	Per Pay Period
Police	Vansickel	Jennifer	1	\$ 11.98	Per Hour
Police / Parks / Water	Anderson	Gary	16	\$ 20.94	Per Hour
Rally & Events	Lyons	Autumn	4	\$ 13.32	Per Hour
Rally & Events	Vasknetz	Brenda	26	\$ 2,324.99	Per Hour
Recreation	Alverson	Alexandra	2	\$ 20.00	Per Game
Recreation	Bachand	Mckenzie	2	\$ 20.00	Per Game
Recreation	Barden	Carsey	2	\$ 20.00	Per Game
Recreation	Barden	Cady		\$ 20.00	Per Game
Recreation	Barrows	Peter	1	\$ 20.00	Per Game
Recreation	Beaulieu	Bryan	1	\$ 20.00	Per Game
Recreation	Bush	Gage	1	\$ 20.00	Per Hour

Recreation	Cochran	Katelind		\$ 20.00	Per Game
Recreation	Estes	Hugo	2	\$ 20.00	Per Game
Recreation	Heidrich	Amada	1	\$ 20.00	Per Game
Recreation	Johnson	Ashley	6	\$ 13.98	Per Hour
Recreation	Kaitfors	Tyler	5	\$ 15.93	Per Hour
Recreation	Loper	Dillon	1	\$ 20.00	Per Game
Recreation	Mitchell	Bailie		\$ 20.00	Per Game
Recreation	Prosser	Lynsey	2	\$ 20.00	Per Game
Recreation	Schmid	Sara	1	\$ 20.00	Per Game
Recreation	Shoup	Tanner	2	\$ 20.00	Per Game
Sanitation	Barff	Andrew	0	\$ 8.50	Per Hour
Sanitation	Coacher	Bill	7	\$ 15.62	Per Hour
Sanitation	Finn	Rick	2	\$ 13.69	Per Hour
Sanitation	Flueckinger	John	2	\$ 15.69	Per Hour
Sanitation	Johnson	Jay	27	\$ 2,138.12	Per Pay Period
Sanitation	Stumpf	Timothy	1	\$ 13.36	Per Hour
Sanitation	Tornow	Jeffrey	1	\$ 13.36	Per Hour
Sanitation / Wastewater	Cass	Dan	16	\$ 20.94	Per Hour
Streets	Aga	Kevin	19	\$ 19.82	Per Hour
Streets	Olson	Brad	7	\$ 17.26	Per Hour
Streets	Tucker	Steven	5	\$ 14.87	Per Hour
Streets	Wagner	Douglas	16	\$ 19.00	Per Hour
Streets / Sanitation / Wastewater	Kinney	Peg	17	\$ 19.97	Per Hour
Streets / Sanitation / Wastewater / Water	Bush	Rick	5	\$ 2,837.23	Per Pay Period
Streets / Sanitation / Wastewater / Water	Swanson	Laura	3	\$ 18.59	Per Hour
Wastewater	Jacobs	Harley	1	\$ 12.48	Per Hour
Wastewater	Moser	Bob	11	\$ 20.76	Per Hour
Wastewater	Plaggemeyer	Michael	21	\$ 2,062.39	Per Pay Period
Water	Crowser	Judd	23	\$ 24.05	Per Hour
Water	Deutsch	Brad	14	\$ 23.58	Per Hour
Water	Even	Tammy	3	\$ 14.55	Per Hour
Water	Murray	Neil	10	\$ 20.76	Per Hour
Water	Olson	Dale	25	\$ 2,388.19	Per Pay Period
Water	Weisz	Adam	10	\$ 20.76	Per Hour
Water/ Sanitation / Wastewater	Bulau	Kathy	7	\$ 14.61	Per Hour

All part time (including seasonal) employees are limited to a maximum of 1,039 hours worked per year.

* Employee not subject to collective bargaining agreements.

** Employee can only work on an “occasional & sporadic” basis in this capacity in order to comply with 29 CFR 553.30 and the Fair Labor Standards Act.

***Referees are paid \$15 for K-2nd League games & \$20 for 3rd-6th grade games

BE IT FURTHER RESOLVED that the foregoing salaries and wages shall take effect on December 31, 2013.

Adopted this 6th day of January, 2014.

Published: 01/15/2014

Effective: 12/31/2013

Bachand seconded the motion for the adoption of the foregoing resolution with all members present voting yes and the resolution was declared passed and adopted.

A motion was made by Anderson, second by Bachand to strike the sentence in the Ordinance that dealt with the 40 pound ground snow load. Anderson and Bachand withdrew their motion.

Motion by Potts, second by Bachand and carried with Carstensen, Bachand, Bestgen, Hersrud, Johnston, Potts, Waterland voting yes, Anderson abstaining, to approve second reading of Ordinance 2013-25 with the striking of the sentence in the Ordinance that dealt with the 40 pound ground snow load.

ORDINANCE 2013-25
AN ORDINANCE AMENDING TITLE 2– CONTRACTORS’ LICENSING AND
CONSTRUCTION REGULATIONS

BE IT ORDAINED by the Common Council of the City of Sturgis, Meade County, South Dakota that Title 2–Chapter 2.01 – Section 2.01.01: Scope and Purpose; 2.01.02: Definitions for Title. Chapter 2.02: Building Code and Construction Standards- Section -2.02.01: Adoption of Building Code; 2.02.03: Additions, Alterations and Repairs. Chapter 2.03: Building Inspector and Building Permits – Section 2.03.01: Establishment of the Office of Building Inspector; 2.03.02: Authority of Building Inspector to Enforce; 2.03.08: Application for Building Permit; 2.03.13: Certificate of Occupancy. Chapter 2.13: Chapter 2.04: Licensing and Regulation of Construction Contractors -2.04.05: Contractor’s License Fee; 2.04.06: Contractor’s License Term and Renewal; Appeal Process are amended to read as follows:

TITLE 2
CONTRACTORS’ LICENSING AND CONSTRUCTION REGULATIONS

Chapters:

- 2.01: General Provisions
- 2.02: Building Code and Construction Standards
- 2.03: Building Inspector and Building Permits
- 2.04: Licensing and Regulation of Construction Contractors
- 2.05: Licensing of Electrical Construction
- 2.06: Licensing of Plumbing Construction
- 2.07: Licensing and Regulation of Building and Structure Movers
- 2.08: Licensing and Regulation of Public Excavations
- 2.09: Revocation of Licenses
- 2.10: Fences
- 2.11: Erosion Control Regulations
- 2.12: Miscellaneous
- 2.13: Appeal Process

CHAPTER 2.01 GENERAL PROVISIONS

SECTIONS:

- 2.01.01: Scope and Purpose
- 2.01.02: Definitions for Title
- 2.01.03: Penalty

2.01.01: SCOPE AND PURPOSE

The purpose of this Title is to regulate the building of structures within the City and to provide reasonable standards to protect property and public welfare by regulating the design, construction, materials, location and maintenance of all buildings, within the City. The purpose of the Title also includes setting forth the licensing requirements for certain contractors and adopting certain uniform codes and regulations in the area of construction.

2.01.02: DEFINITIONS FOR TITLE

ARSD: Administrative Rules of South Dakota

ASSISTANT BUILDING INSPECTOR: The Assistant Building Inspector shall be any person appointed by the City Manager to assist the Building Inspector with his duties as provided by this Title.

BEST MANAGEMENT PRACTICES (BMP'S): Control measures which reduce or prevent the discharge of pollutants (defined at ARSD 74:52:01:35) to waters of the State of South Dakota.

BUILDING CODE: The specific Building Code adopted by the City of Sturgis.

BUILDING INSPECTOR: The Building Inspector shall be any person appointed by the City Manager to perform this duty as provided by this Title.

CLEARING: Any activity that causes the removal of the vegetative surface cover.

CODES: The current edition of any Uniform Code adopted by the City, or the Codified Law of South Dakota.

CONSTRUCTION: The act of construction including but not limited to, the rough framing, remodeling, shingling, siding, new construction, concrete, alteration, addition, repair or erection of buildings or structures, all construction required to possess a permit within the city.

CONSTRUCTION STANDARDS: The City approved specifications for the installation of streets, water, sewer and storm sewer improvements within the public right of way or established utility easements.

CONTRACTOR: Any contractor currently licensed as required by the City of Sturgis Ordinances.

DRAINAGE WAY: Any channel that conveys surface runoff throughout the City of Sturgis.

CHAPTER 2.02 BUILDING CODE AND CONSTRUCTION STANDARDS

SECTIONS:

- 2.02.01: Adoption of Building Code
- 2.02.02: Authority of Building Inspector to Prepare Manual of Construction Guidelines
- 2.02.03: Additions, Alterations and Repairs
- 2.02.04: Maintenance
- 2.02.05: Historic Preservation
- 2.02.06: Alternate Materials and Methods of Construction
- 2.02.07: Modifications
- 2.02.08: Tests

2.02.01: ADOPTION OF BUILDING CODE

The City of Sturgis hereby adopts, for the purpose of establishing rules and regulations for the construction, alteration, removal, demolition, equipment, use and occupancy, location and maintenance of buildings and structures, including permits and penalties, conforming with Chapters 1 through 10 and Appendices E, G, H, J, K and M of the International Residential Building Code, 2012 Edition. In addition and for those same purposes, subject to the limitation of municipal authority established by SDCL 11-10-5, the 2012 Edition of the International Building Code including Appendices C, E, F, G, H, I and J, thereof, except such portions as are herein deleted, modified, or amended. One copy of each of the codes with all the amendments from the date on which this ordinance shall take effect, and the provisions thereof shall be controlling in the construction of all buildings and structures within the jurisdiction of the City.

2.02.04: MAINTENANCE

Following approval through the Building Permit process, all devices or safeguards required by this Title or any other state law or City Ordinance shall be maintained in conformance with this Title.

CHAPTER 2.03 BUILDING INSPECTOR AND BUILDING PERMITS

SECTIONS:

- 2.03.01: Establishment of the Office of Building Inspector
- 2.03.02: Authority of Building Inspector to Enforce
- 2.03.03: Right of Entry
- 2.03.04: Stop Orders
- 2.03.05: Liability
- 2.03.06: Cooperation of Officials and Officers
- 2.03.07: Building Permit Required
- 2.03.08: Application for Building Permit
- 2.03.09: Fees
- 2.03.10: Building Permit Issued
- 2.03.11: Expiration of Building Permit
- 2.03.12: Building Permit Must Be Posted
- 2.03.13: Certificate of Occupancy
- 2.03.14: Temporary Structure Permit Required

2.03.15: Requirements for Temporary Structures

2.03.16: Exempt Temporary Structures

2.03.01: ESTABLISHMENT OF THE OFFICE OF BUILDING INSPECTOR

There shall be designated a Building Inspector, who shall perform those duties and hold such authority as herein set forth, subject to the supervision of the City Manager. The City Manager may designate, as needed, an Assistant Building Inspector to carry out the duties of Building Inspection.

2.03.02: AUTHORITY OF BUILDING INSPECTOR TO ENFORCE

The Building Inspector shall enforce all provisions of this Title. The Building Inspector may request that the City Council appoint and deputize any number of technical officers, deputy inspectors and other employees as is necessary to assist the Building Inspector with enforcement of this Title.

The Building Inspector shall enforce all laws relating to the construction, alteration, removal and demolition of all buildings and structures within the City.

The Building Inspector shall make an examination of any and all plans and specifications for structures to be built within the City, or alterations to be made in or upon any existing structures which will materially change said structures, in order to determine if said plans, specifications or alterations are in conformance with this Title.

The Building Inspector shall make an examination of all applications for building permits and shall determine after said examination whether or not a permit should be granted to such applicant.

The Building Inspector shall have the authority to issue building permits after the completed application has been determined in accordance with this Title, and after all required fees have been received.

The Building Inspector shall have the authority to deny issuance of any permit. Said denial may be based upon failure to comply with any applicable provision of this Title, provision of any applicable Building Code or manual.

The Building Inspector shall have the authority to order the removal of any existing building or structure which was unlawfully built or which in the opinion of the Building Inspector is dangerous and/or a safety hazard to the public.

The Building Inspector shall have the authority to require specific testing and inspections in connection with the performance of construction work within the City.

The Building Inspector may be authorized to enforce the Nuisance, Temporary Structure, and Temporary Merchants Ordinances, and also the City Beautification and Regulation of Advertising Ordinance of the City.

The Building Inspector shall be subject to the supervision of the City Manager and hold any and all other duties and powers as specifically granted by any ordinance of the City.

2.03.08: APPLICATION FOR BUILDING PERMIT

To obtain a Building Permit from the Building Inspector, the applicant must make application to the Building Inspector on forms to be furnished by the City. He or she shall include with said application the following information:

- A. A sketch or drawing of the outside wall of the floor of said improvement to be built, drawn at scale of at least $\frac{1}{4}'' = 1.0''$ showing all measurements, the distance from property lines, distance from buildings or structures on the same parcel of land and distance from back of curb or from edge of streets;
- B. The name of the owner of the real property to be improved;
- C. The name of the contractor, if any, doing the work;
- D. The legal description of the property being improved;
- E. The parcel number given to the property by Meade County;
- F. The general description of the improvement and what type of building improvement is to be made;
- G. Plans for the installation of plumbing, electrical wiring, etc; and
- H. Such other information the Building Inspector may request so that he/she may determine if said improvement complies with the Ordinances of the City of Sturgis and the Laws of the State of South Dakota.

2.03.13: CERTIFICATE OF OCCUPANCY

Before an owner may cause a newly constructed building to be occupied, or occupy the premises after a change of occupancy as defined in the Building Code has occurred, he/she shall first obtain a certificate of occupancy from the Building Inspector. The Building Inspector shall issue an occupancy certificate upon completion of the building or prior to change of occupancy if the building is found to be in compliance with the City of Sturgis Ordinances and laws of the State of South Dakota. No person shall permit a structure to be occupied without first obtaining an occupancy certificate as provided herein.

CHAPTER 2.04 LICENSING AND REGULATION OF CONSTRUCTION CONTRACTORS

SECTIONS:

- 2.04.01: License Required for Construction
- 2.04.02: Application of Chapter
- 2.04.03: Application for Contractor's License
- 2.04.04: Insurance and Bond Required for Construction
- 2.04.05: Contractor's License Fee
- 2.04.06: Contractor's License Term and Renewal
- 2.04.07: Testing Requirements
- 2.04.08: Required Inspections
- 2.04.09: Notice and Cost of Inspections

2.04.05: CONTRACTOR'S LICENSE FEE

Upon making application for a Contractor's License, said applicant shall pay a fee of One Hundred and Twenty Five Dollars (\$125.00).

2.04.06: CONTRACTOR'S LICENSE TERM AND RENEWAL

Any license issued shall be valid for the calendar year and shall expire at midnight on December 31st. Any license may be renewed by the contractor prior to expiration by submitting a

completed application and the necessary fee to the Building Inspector. Upon a determination by the Building inspector that the application is in compliance with all applicable Sections of this Title, the license shall be issued for the subsequent calendar year. Any person working within the City with an expired license shall be considered to be unlicensed in violation of this Title.

CHAPTER 2.13 APPEAL PROCESS

Any person aggrieved by a decision made by the Building Inspector, or other Department Head under this Title shall be entitled to have said decision reviewed by the City Manager before any appeal to the City Council. The process shall be as follows:

- A. Any person aggrieved by a decision of the Building Inspector or other Department Head under this Title shall first file a written request for review with the City Manager setting forth the basis for which he or she believes the decision to be in error. The writing shall also include the person's name and mailing address.
- B. Upon receipt of a written request for review, the City Manager shall review the decision and mail a written response to the aggrieved person within twenty (20) days.
- C. If the aggrieved person is not satisfied with the decision of the City Manager following review, he or she may file a notice of appeal with the City Finance Office. There shall be a twenty-five dollar (\$25.00) fee assessed for filing an appeal, which shall be paid to the Finance Office at the time of filing the notice of appeal.
- D. Upon receipt of a notice of appeal, the Finance Officer shall notify the City Council and a public hearing shall be held at a regularly scheduled Council meeting within thirty (30) days after the date said appeal was filed. The City Finance Office shall provide notice to the person specifying the time, date, and location of the hearing.
- E. The City Council may notify the aggrieved person of its decision following the hearing, however, the Council shall issue a written decision to the person within twenty (20) days of the hearing. The Council may affirm or reverse the decision of the Building Inspector.

Dated this 6th day of January, 2014.

First reading: 12/16/2013

Second reading: 01/06/2014

Adopted: 01/06/2014

Published: 01/15/2014

Effective: 02/05/2014

Motion by Bachand, second by Bestgen and carried with all members present voting yes to approve first reading of Ordinance 2014-01 – Title 9 – Fire Prevention and Regulations and 1st reading of Ordinance 2014-03 – Title 12 – General Nuisances – Fireworks.

Motion by Bachand, second by Hersrud and carried with all members present voting yes to approve first reading of Ordinance 2014-02 – Title 36 – Administrative Code Enforcement.

Motion by Bestgen, second by Waterland and carried with all members present voting yes to table any decision to approve a loan to Easy Riders for a dinner movie theater and to request more numbers and how the loan will be secured.

Motion by Hersrud, second by Johnston and carried with all members present voting yes (Bachand with reservation) to approve for KLD&B, LLC/Easy Riders for a zoning amendment to rezone from GR-1 to Highway Service for a parking area with the following conditions: 1. The applicant makes application for necessary demolition permits. 2. The applicant makes the proposed improvements including fencing, lighting and landscaping. 3. When the City has a storm drainage system available, the applicant will tie into the drainage system and at that time will pay the City for a portion of the costs related to the new system (\$10,000). 4. Once the storm water project begins, the applicant may apply for a permit to pave the parking area. 5. The applicant, will at all times, keep the alley clear and accessible for public use. 6. The applicant will maintain proper setbacks and will abide by all ordinances related to vending and use during a special event.

Motion by Waterland, second by Johnston and carried with all members present voting yes to approve tabling for Key City Investments a zoning amendment to rezone from a mobile home park to an RV Park to the January 21, 2014 meeting.

Waterland introduced the following written resolution and moved its adoption:

RESOLUTION 2014 -10
A RESOLUTION AUTHORIZING THE CITY MANAGER TO SIGN
A PURCHASE AGREEMENT WITH UTILITY FLEET SALES TO PURCHASE A
BUCKET TRUCK FOR EMERGENCY CLEANUP ALONG THE CITY RIGHT OF
WAYS

WHEREAS, the City of Sturgis suffered significant damage during the Atlas winter storm of October 4 through 6 and the subsequent days of heavy rainfall and snowmelt; and,

WHEREAS, the City's Emergency Response Team as established in accordance to Title 29 has and is continuing to meet to respond to the significant damage throughout the community and to mitigate the loss of property and personal injury and as such has required the use of contracts to assist in the cleanup and mitigation efforts; and,

WHEREAS, at the meeting on October 8th the Meade County Commission passed an Emergency Declaration to start the process of obtaining any available state and/or federal assistance to deal with the blizzard, debris and flooding emergency; and,

WHEREAS, on November 8, 2013, President Obama declared the Atlas Blizzard a Natural Disaster eligible for FEMA reimbursement; and,

WHEREAS, the City's Emergency Response Team held a kickoff meeting with FEMA representatives on December 12, 2013; and,

WHEREAS, the City is taking part of the Expedited Debris Removal Pilot Program as described by FEMA representatives during the December 12, 2013 kickoff meeting; and,

WHEREAS, the City learned on December 12, 2012 that the Expedited Debris Removal Pilot Program requires that all reimbursable debris removal is completed within 180 days of the date of the disaster; and,

WHEREAS, FEMA has identified 408 trees with hazardous hangars with dangerously hanging branches over the public right of way and hundreds of other trees within the City park system with similarly dangerous hanging branches which need to be removed by April 2, 2014; and,

WHEREAS, the City currently has one bucket truck available to be used by the City staff to remove hanging limbs up to a height of approximately 40 feet, and

WHEREAS, the City has sought to lease or purchase an additional truck to complete the removal of limbs higher than 40 feet and to assist in the removal of the substantial number of limbs throughout the public right of ways in the community; and

WHEREAS, due to the heightened demand for bucket trucks in the wake of the Atlas storm there are no 60' boom trucks available for lease or purchase in the region; and

WHEREAS, a typical bid process, assuming suitable used equipment was available locally, would require 45 – 60 days for advertisement, opening and awarding in order to obtain bids to determine what the lowest responsible bid price would be for a bucket truck if a response would even be received; and,

WHEREAS, even by utilizing the normal bid process, the heightened local demand for such specialized equipment will not prevent the lowest responsible bidder from conditioning its bid to the City upon delivery of the boom truck 60 to 90 days after the bid opening, and

WHEREAS, in order to remediate this significant public hazard in an expeditious manner and to greatly improve the likelihood for reimbursement to the City for the completion of the remediation, the Sturgis City Council has determined that an emergency exists and that the City should seek to acquire a bucket truck with a boom of at least 60' in the most cost-effective and expeditious fashion; and,

WHEREAS, City staff has completed a thorough review of immediately available bucket trucks in the greater Great Plains/Rocky Mountain Region and has determined that Utility Fleet Sales has the largest selection of 55' bucket trucks immediately available and have placed their inventory at competitive prices.

NOW THEREFORE, City Manager Daniel Ainslie is hereby authorized to execute a purchase agreement with Utility Fleet Sales for a bucket truck with at least a 55' boom and for a cost of less than \$50,000.

Dated this 6th day of January, 2014.

Published: 01/15/2014

Effective: Immediately

Hersrud seconded the motion for the adoption of the foregoing resolution with all members present voting yes and the resolution was declared passed and adopted.

Any other business:
None

Motion by Hersrud, second by Bachand and carried with all members present voting yes to go into executive session for personnel and contracts at 8:41 pm.

Motion by Bachand, second by Bestgen and carried with all members present voting yes to return to regular session at 11:15 pm.

Motion by Waterland, seconded by Bachand and carried with all members present voting yes to adjourn the meeting at 11:15 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$888.42.